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2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

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8 DONNA ABILA,

9 Plaintiff,

10 vs.

11 UNITED STATES OF AMERICA,

12 Defendant.
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2:09-cv-01345-KJD-VCF

ORDER

[Motion to Compel Payment of Defense Expert's
Deposition Fee. (#79)]

14 Before the Court is the Government's Motion to Compel Payment of Defense Expert's
15 Deposition Fee. (#79).

16 **Background**

17 On December 5, 2012, the Government filed the Motion to Compel Payment of Defense Expert's
18 Deposition Fee. (#79). The Government seeks Plaintiff, "to pay defense expert Dr. Charles Crinnian the
19 outstanding balance of \$600.00 owed on Dr. Crinnian's deposition fee of \$1,800.00." *Id.* Plaintiff filed
20 a Non-Opposition to Defendant's Motion to Compel Payment of Defense Expert's Deposition Fee.
21 (#80). Plaintiff does not dispute the \$600.00 fee and, "is willing to issue a \$600 check to Dr. Crinnian if
22 there are no further costs to her arising out of this issue." *Id.* On December 14, 2012, the Government
23 filed a reply stating that it is inappropriate for Plaintiff to attach conditions onto the fee payment as she
24 is legally obligated to pay the outstanding fee of \$600.00. (#81).

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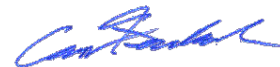
1 **Discussion**

2 Pursuant to Fed. R. Civ. P. 26(a)(4)(E), the party seeking discovery must “pay the expert
3 reasonable fee for time spent in responding to discovery under Rule 26(b)(4)(A).” Plaintiff filed a Non-
4 Opposition to Defendant’s Motion to Compel Payment of Defense Expert’s Deposition Fee and stated
5 that she is willing to pay the outstanding \$600.00 deposition fee owed to defense expert Dr. Charles
6 Crinnian.

7 IT IS HEREBY ORDERED that Defendant’s Motion to Compel Payment of Defense Expert’s
8 Deposition Fee (#76) is GRANTED.

9 IS IT FURTHER ORDERED that Plaintiff must pay the outstanding \$600.00 deposition fee
10 owed to defense expert, Dr. Charles Crinnian, on or before January 31, 2013.

11 DATED this 7th day of January, 2013.



12 CAM FERENBACH
13 UNITED STATES MAGISTRATE JUDGE
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